THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 19640 of 2006

Dated: 27.09.2006

Between:

V. Varahala Babu, S/o Sathibabu, aged 28 years, Procurement Supervisor, Milk Chilling Centre, Pendurthi, Visakhapatnam District.

.... PETITIONER

AND

Sri Vijaya Visakha Milk Producers Company Limited, Visakhapatnam, rep. by its Managing Director.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 19640 of 2006

Order:

The petitioner, who is working as Procurement Supervisor on contract basis in the respondent-Visakha Co-operative Dairy, filed the present writ petition questioning the action of the respondent in not promoting him to the post of Supervisor by regularizing his services.

When the matter is taken up for hearing today, it is submitted by the learned counsel for the respondent that the respondent-Visakha Co-operative Dairy, has converted itself into a producing company, and is registered under the provisions of the Companies Act, 1956 in the name of M/s. Sri Vijaya Visakha Milk Producers Company Limited, and the respondent not being a Government or local authority within the definition of "the State", as defined in
Article 12 of the Constitution, the writ petition filed by the petitioner against the respondent is not maintainable, and prayed that the writ petition be dismissed.

Since the respondent is neither a local authority nor other authority falling within the definition of "the State" as defined in Article 12 of the Constitution of India, the writ petition is not maintainable. However, the petitioner, as desired, may avail the remedies as available to him under law.

The writ petition is dismissed as not maintainable with the above observation. No costs.

N.V. RAMANA, J.

Date: 27.09.2006
Nsr/Ksr